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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,736-A)

In re Application of:)	
)	
Roderick Hall, et al.)	
)	Examiner: D. Steadman
Serial No.: 09/441,966)	
)	Art Unit: 1652
Filed: November 17, 1999)	
)	Confirmation No. 5234
For: A METHOD FOR ACCELERATING)	
THE RATE OF MUCOCILIARY)	
CLEARANCE)	

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This paper is filed in response to the Office Action mailed on April 2, 2002. The Applicants elect, with traverse, the invention of Group XVI which corresponds to claims 1-10 and 15-18 and SEQ ID NO:8.

The present invention relates to the use of serine protease inhibitors that stimulate the rate of mucociliary clearance of mucus and sputum in the airways of the lung. See the specification at page 4, lines 16-18. The Office Action contends the Group I-XVI restriction is warranted since "[e]ach method differs in that a different protease inhibitor is used." See Office Action at page 5, paragraph 1. However, according to MPEP § 803:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

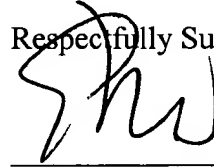
Applicant respectfully contends that Groups I–XVI all reside within the same classification (class 514, subclass 2). Consequently, search and examination would not constitute a serious burden on the examiner. Accordingly, applicant respectfully requests that the restriction requirement against the claims be withdrawn and all of the claims be examined in their entirety.

Reconsideration of this application is respectfully requested and a favorable determination is earnestly solicited.

Date: April 15, 2002

By:

Respectfully Submitted,



Emily Miao
Reg. No. 35,285